ORDINANCE NO. 1673

BEING AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 1 OF THE COLUMBIA HEIGHTS CITY CODE RELATING TO ANIMALS

The City of Columbia Heights does ordain:

Section 1:
Sections § 8.101 of the Columbia Heights City Code as they currently read are amended as follows:

ARTICLE I: ANIMALS
Section
8.101 Regulations
8.102 Impoundment
8.103 Destruction
8.104 Quarantine
8.105 Penalty

§ 8.101 REGULATIONS.

(A) Rabies vaccination required. A person who owns, harbors, or keeps a dog over six months old within the city must have the dog vaccinated by a licensed veterinarian with an anti-rabies vaccine that is currently effective. A vaccination certificate is valid only for the dog and owner to which it is issued. A person must not use a rabies vaccination certificate for a different dog than the one for which it was issued.

(B) Tags. A person who owns, harbors, or keeps a dog over six months old within the city must securely attach an identification tag or plate to the dog's collar so that it can be readily seen. The tag or plate must contain the name and telephone number of the owner or other person who is keeping the dog. The identification tag or plate must be worn by the dog at all times when it is off the owner's or keeper's property.

(C) Limit on number of cats and dogs. Because the keeping of four or more dogs or four or more cats in the family dwelling unit or on the family premises is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard, and general aesthetic depreciation, and because the irresponsible maintenance of four or more dogs or four or more cats within a residential area has been the source of a variety of complaints, no family or family member shall keep, harbor, or have custody of more than three dogs, or more than three cats, or a combination of more than five animals exceeding six months in age in the family dwelling unit or on the family premises.

(D) The owner or custodian of any animal permanently or temporarily in the city shall have the obligation and responsibility to prevent such animal from committing any act which constitutes a public nuisance, which shall include, but not be limited to, the following acts:
(1) Habitually or frequently bark or cry to the annoyance of neighbors or the general public.

(2) Molest or annoy any person if such person is not on the property of the owner or custodian of such animal.

(3) Molest, defile, or destroy any public or private property not belonging to the owner or custodian of such animal.

(4) Defecate upon public property without immediately removing the excrement and disposing of it in a sanitary manner.

(54) Chase vehicles or otherwise run at large within the city.

(E) (1) The City of Columbia Heights will follow the provisions of M.S. Chapter 347 as it relates to dangerous and potentially dangerous dogs.

—(2) The City of Columbia Heights may impose additional requirements to the owners of potentially dangerous dogs, including all requirements listed for dangerous dogs.

(F) No person who is the owner or has custody of any animal shall beat, treat cruelly, torment or otherwise abuse or abandon such animal. No person who is the owner or has custody of any animal shall fail to provide such animal with sufficient, good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, or with humane care and treatment.

(G) Exceptions. The provisions of § 8.101(D)(4) do not apply to a guide dog accompanying a blind person, a service dog accompanying a disabled person, or a dog while engaged in police or rescue activity.

(77 Code, § 8.102) (Am. Ord. 1005, passed 7-12-82; Am. Ord. 1658, passed 1-27-20) Penalty, see § 8.105

§ 8.102 IMPOUNDMENT.

(A) The city shall have the authority to impound any animal in such manner and under such conditions and circumstances as prescribed by this section:

(1) The Council may enter into a contract with any qualified person, firm or corporation to be designated as the City Poundmaster, whose duties shall be to enforce the provisions of this section.

(2) The city shall provide an adequate facility within or in close proximity to the city, where all animals taken into custody shall be kept and cared for until disposed of according to the provisions of this section.

(B) The City Poundmaster may impound any animal where there is reasonable cause to believe said animal:

(1) Exhibits ferocious or vicious tendencies;

(2) Constitutes a public nuisance as defined in § 8.101(D);

(3) Has bitten a person; or

(4) Is not displaying the proper tag listed in the provisions of § 8.101.

(C) When the ownership of the animal is known, or can be determined, the Poundmaster shall provide notice to the owner within 24 hours of the impoundment by the means available to them.
(D) Any animal impounded pursuant to the provisions of this section shall be kept for not less than five regular business days unless reclaimed prior to that time by their owner as provided hereafter. The owner of any impounded animal may reclaim the same upon payment to the Treasurer or Poundmaster of an impounding fee as set by resolution of the Council, and the payment of such daily boarding fees as shall be determined by the Council for such time as the animal has been confined. The Poundmaster shall not release any animal subject to the vaccination requirement in § 8.101 without proof of current anti-rabies vaccination.

(E) Any animal which is unclaimed by the rightful owner within the prescribed time may be sold to anyone desiring to purchase said animal, if not requested by a licensed educational or scientific institution under state law.

1. All sums received in excess of costs shall be held by the Treasurer for the benefit of the owner. If not claimed within one year, such funds shall be placed in the general fund of the city.

2. Any animal which is not disposed of as provided above shall be painlessly killed and buried by the Poundmaster.

(F) Nothing in this code shall prevent the Poundmaster from disposing of any animal in less than the prescribed time if such animal is injured and, in the opinion of the Poundmaster, the only humane act would be disposing of the animal.

(177 Code, § 8.103) (Am. Ord. 1535, passed 9-8-08; Am. Ord. 1658, passed 1-27-20)

§ 8.103 DESTRUCTION.

(A) A court of proper jurisdiction may order the destruction of any animal, or may order the owner or custodian to keep said animal confined to a designated place, upon a hearing as hereinafter provided.

1. A summons shall be issued to the owner of said animal commanding him to appear before said court and show cause why said animal should not be seized by the Poundmaster or otherwise disposed of in the manner authorized by this chapter. Said summons shall issue upon sworn complaint that any of the following facts exist:

a. That the animal has destroyed property or habitually trespassed in a damaging manner on the property of persons other than the owner.

b. That the animal has attacked or bitten a person outside the owner’s or custodian’s premises.

c. That the animal is vicious or exhibits vicious or ferocious tendencies, or molests pedestrians, or interferes with vehicles on public streets or highways.

d. That the animal is a public nuisance as herefore defined; or

e. That the animal is running at large in violation of this chapter.

2. Such summons shall be returnable not less than two, nor more than six days from the date thereof and shall be served at least two days before the time of appearance mentioned therein.

3. The court shall make findings of fact regarding the allegations of the sworn complaint.
(B) The costs of any proceeding brought pursuant to this section shall be assessed against the prevailing party. The remedies provided by this section are supplemental to other provisions of this chapter.

(C) Any animal which presents a clear and immediate danger to city residents because it is infected with rabies (hydrophobin) or because it is of a clearly demonstrated vicious or ferocious nature, may be summarily destroyed after the Poundmaster has made reasonable attempts to impound such animal.

("77 Code, § 8.104) (Am. Ord. 1658, passed 1-27-20)

§ 8.104 QUARANTINE.

(A) No person shall own, keep, harbor or have custody of any animal over six months of age within the city which does not have a current anti-rabies vaccine provided by a qualified veterinarian.

(B) (1) The City may quarantine any animal which bites a person for such time as is directed. During the quarantine, the animal shall be securely confined and kept from contact with any other animal.

(2) The place of quarantine may be on the premises of the owner in the discretion of the Chief of Police or designee. Confinement shall otherwise be at an animal shelter or a veterinary hospital, at the expense of the owner of such animal.

("77 Code, § 8.105) (Am. Ord. 1658, passed 1-27-20) Penalty, see § 8.105

§ 8.105 PENALTY.

Any person, firm, or corporation who violates the provisions of this article shall be punished as provided in § 1.999.

("77 Code, § 8.106) (Am. Ord. 1658, passed 1-27-20)

First Reading: April 11, 2022
Offered by: Murzyn, Jr.
Seconded by: Novitsky
Roll Call: All Ayes

Second Reading: April 25, 2022
Offered by: Buesgens
Seconded by: Novitsky
Roll Call: All Ayes

Date of Passage: April 25, 2022

Mayor Amáda Márquez Simula

Attest:

Sara Ion, City Clerk
SUMMARY OF ORDINANCE NO. 1673

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE I OF THE COLUMBIA HEIGHTS CITY CODE RELATING TO ANIMALS

The City Council for the City of Columbia Heights, Minnesota adopted Ordinance No. 1673 on April 25, 2022.

The purpose of this ordinance is to require animal owners to clean up after their pets on public property. This amendment is a requirement of our MS4 permit.

This is a summary of Ordinance No. 1673. A copy of the entire text of the Ordinance is available for public inspection during regular office hours at City Hall, by standard electronic mail, or at www.columbiaheightsmn.gov.

Attest:

[Signature]
Sara Ison, City Clerk/Council Secretary

[Signature]
Mayor Amada Marquez Simula
AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA  ) ss
COUNTY OF ANOKA

Karen Nelson being duly sworn on an oath, states or affirms that he/she is the Publisher's Designated Agent of the newspaper(s) known as:

BSLP Col Hght Frid Life

with the known office of issue being located in the county of:
ANOKA
with additional circulation in the counties of:
RAMSEY
and has full knowledge of the facts stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.

(B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 05/06/2022 and the last insertion being on 05/06/2022.

MORTGAGE FORECLOSURE NOTICES
Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By: Karen Nelson
Designated Agent

Subscribed and sworn to or affirmed before me on 05/06/2022 by Karen Nelson.

Marlene M. Mitchell
Notary Public

Rate Information:
(1) Lowest classified rate paid by commercial users for comparable space:
   $22.00 per column inch

Ad ID 1226796